

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

MIKE GRAY, *et al.*, §
§
Plaintiff, §
§
VS. § CIVIL ACTION NO. H-14-2390
§
BRAD LIVINGSTON, *et al.*, §
§
Defendants. §

MEMORANDUM AND OPINION

John Gray and his “caretaker,” Mike Gray, sued officers and employees of the Texas Department of Criminal Justice (“TDCJ”) and the Texas Board of Pardons and Paroles (“TBPP”). They alleged that John Gray was improperly kept on parole past his release date and was denied medical care and access to the courts while in state custody. On April 27, 2015, the court granted the defendants’ motion to dismiss the plaintiffs’ claims and entered final judgment dismissing this case with prejudice.

On June 8, 2015, John Gray filed a “Letter requesting immediate removal from state custody to federal custody for protection from imminent physical harm and or death by TDCJ officials and sanctioned gang activity.” (Docket Entry No. 18). Gray alleged that TDCJ officials and “state prison gang members” have denied him access to this court since August 22, 2014 in retaliation for an unspecified activity. He alleges that he does not have access to the TDCJ grievance procedure to complain about the conditions of his confinement. (*Id.*). Gray attached his own affidavit describing specific instances of violence and retaliation against him and others since he was placed in state custody.

Many of Gray's allegations do not relate to the subject matter of this closed case. This case is not the proper forum for those claims. To the extent that any of Gray's allegations relate to his original claims that he was improperly kept on parole past his release date after he complained that a parole officer assaulted him, that he was denied medical care, and that he was denied access to the courts, Gray has neither asked the court to withdraw its final judgment dismissing these claims nor presented a basis for the court to grant this relief.

Gray's motion requesting removal from state custody, (Docket Entry No. 18), is denied.

SIGNED on July 22, 2015, at Houston, Texas.



Lee H. Rosenthal
United States District Judge